

## Bureau of Prisons, Justice

## Pt. 513

conducted under this subpart, the researcher shall provide two copies of the material, for informational purposes only, to the Chief, Office of Research and Evaluation, Central Office, Bureau of Prisons.

[59 FR 13860, Mar. 23, 1994, as amended at 62 FR 6662, Feb. 12, 1997]

### § 512.21 Copyright provisions.

(a) An employee of the Bureau may not copyright any work prepared as part of his/her official duties.

(b) As a precondition to the conduct of research under this subpart, a non-employee shall grant in writing to the Bureau a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, translate, and otherwise use and authorize others to publish and use original materials developed as a result of research conducted under this subpart.

(c) Subject to a royalty-free, non-exclusive and irrevocable license, which the Bureau of Prisons reserves, to reproduce, publish, translate, and otherwise use and authorize others to publish and use such materials, a non-employee may copyright original materials developed as a result of research conducted under this subpart.

[59 FR 13860, Mar. 23, 1994, as amended at 62 FR 6662, Feb. 12, 1997]

## PART 513—ACCESS TO RECORDS

### Subpart A [Reserved]

### Subpart B—Production or Disclosure of FBI/NCIC Information

Sec.

513.10 Purpose and scope.

513.11 Procedures for requesting a FBI identification record or a NCIC/III record.

513.12 Inmate request for record clarification.

### Subpart C—Release of Information to Law Enforcement Agencies

513.20 Release of information to law enforcement agencies.

### Subpart D—Release of Information

#### GENERAL PROVISIONS AND PROCEDURES

513.30 Purpose and scope.

513.31 Limitations.

513.32 Guidelines for disclosure.

513.33 Production of records in court.

513.34 Protection of individual privacy—disclosure of records to third parties.

513.35 Accounting/nonaccounting of disclosures to third parties.

513.36 Government contractors.

#### INMATE REQUESTS TO INSTITUTION FOR INFORMATION

513.40 Inmate access to Inmate Central File.

513.41 Inmate access to Inmate Central File in connection with parole hearings.

513.42 Inmate access to medical records.

513.43 Inmate access to certain Bureau Program Statements.

513.44 Fees for copies of Inmate Central File and Medical Records.

#### PRIVACY ACT REQUESTS FOR INFORMATION

513.50 Privacy Act requests by inmates.

#### FREEDOM OF INFORMATION ACT REQUESTS FOR INFORMATION

513.60 Freedom of Information Act requests.

513.61 Freedom of Information Act requests by inmates.

513.62 Freedom of Information Act requests by former inmates.

513.63 Freedom of Information Act requests on behalf of an inmate or former inmate.

513.64 Acknowledgment of Freedom of Information Act requests.

513.65 Review of documents for Freedom of Information Act requests.

513.66 Denials and appeals of Freedom of Information Act requests.

513.67 Fees for Freedom of Information Act requests.

513.68 Time limits for responses to Freedom of Information Act requests.

AUTHORITY: 5 U.S.C. 301, 552, 552a; 13 U.S.C.; 18 U.S.C. 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to conduct occurring on or after November 1, 1987), 5006–5024 (Repealed October 12, 1984, as to conduct occurring after that date), 5039; 28 U.S.C. 509, 510; 31 U.S.C. 3711(f); 5 CFR part 297; 28 CFR 0.95–0.99 and parts 16 and 301.

SOURCE: 45 FR 44228, June 30, 1980, unless otherwise noted.

### Subpart A [Reserved]

### Subpart B—Production or Disclosure of FBI/NCIC Information

SOURCE: 58 FR 68765, Dec. 29, 1993, unless otherwise noted.

## § 513.10

### § 513.10 Purpose and scope.

This subpart describes the procedures to be followed by an inmate who requests a copy of his or her FBI identification record or National Crime Information Center Interstate Identification Index (NCIC/III) record and references the procedures to follow in order to challenge the contents of such record.

### § 513.11 Procedures for requesting a FBI identification record or a NCIC/III record.

(a) *FBI identification record.* (1) An inmate may request a copy of his or her current FBI identification record directly from the FBI by following the procedure outlined in 28 CFR 16.30 through 16.34.

(i) Bureau of Prisons staff shall assist the inmate to obtain the fingerprint impressions required to be submitted with such an application.

(ii) The inmate may direct that funds be withdrawn from his or her institution account to pay the applicable fee.

(2) An inmate may request a copy of his or her FBI identification record from institution staff.

(i) If the requested FBI identification record is in the inmate's institution file, staff shall provide the inmate with a copy.

(ii) If the requested FBI identification record is not in the inmate's institution file, staff shall direct the inmate to the procedure referenced in paragraph (a)(1) of this section.

(b) *NCIC/III identification record.* An inmate who wishes to obtain a copy of his or her NCIC/III record must submit a written request to the FBI. The procedures outlined in 28 CFR 16.32, 16.33, and paragraphs (a)(1)(i) and (ii) of this section apply to such request.

### § 513.12 Inmate request for record clarification.

Where the inmate believes that his or her FBI identification record is incorrect or inaccurate, the inmate may follow procedures outlined in 28 CFR 16.34. The procedures in 28 CFR 16.34 also apply for the clarification of an inmate's NCIC/III record.

## 28 CFR Ch. V (7-1-05 Edition)

### Subpart C—Release of Information to Law Enforcement Agencies

### § 513.20 Release of information to law enforcement agencies.

(a) The Bureau of Prisons will provide to the head of any law enforcement agency of a state or of a unit of local government in a state information on federal prisoners who have been convicted of felony offenses and who are confined at a residential community treatment center located in the geographical area in which the requesting agency has jurisdiction. Law enforcement personnel interested in obtaining this information must forward a written request to the appropriate Regional Community Programs Administrator (see 28 CFR part 503 for the mailing address). The type of information that the Bureau of Prisons may provide is set forth in 18 U.S.C. 4082(f). That information includes: names, dates of birth, FBI numbers, nature of the offenses against the United States, fingerprints, photographs, and the designated community treatment centers, with prospective dates of release.

(b) Any law enforcement agency which receives information under this rule may not disseminate such information outside of such agency. If an agency disseminates information contrary to this restriction, the Bureau of Prisons may terminate or suspend release of information to that agency.

[53 FR 15538, Apr. 29, 1988]

### Subpart D—Release of Information

SOURCE: 61 FR 64950, Dec. 9, 1996, unless otherwise noted.

#### GENERAL PROVISIONS AND PROCEDURES

### § 513.30 Purpose and scope.

This subpart establishes procedures for the release of requested records in possession of the Federal Bureau of Prisons ("Bureau"). It is intended to implement provisions of the Freedom of Information Act (FOIA), 5 U.S.C. 552, and the Privacy Act, 5 U.S.C. 552a, and to supplement Department of Justice (DOJ) regulations concerning the production or disclosure of records or information, 28 CFR part 16.